

**MINUTES OF REGULAR MEETING
OLDHAM COUNTY
PLANNING AND ZONING COMMISSION
Tuesday, November 28, 2023**

At 9:00a.m., local time on the above date, this meeting of the Oldham County Planning and Zoning Commission, hereinafter called the Commission, was called to order in the Courtroom of the Oldham County Fiscal Court Building, La Grange, Kentucky, by Chairman Greg King.

Other Commission members present were:

Iva Davis
Joe Ender
Berry Hampton
Tom Marsh

William Douglas
Sam Finney
Bob Klingenfus
Katie Nasser

Thomas Elder
Rollo Fox
Sue Ann Jones
Ben Winters

Commissioners John Falvey and Suzy Walser were absent.

Others present and sworn in were Planning and Development Services Director Jim Urban, Assistant Director Brian Fogle, Oldham County Engineer Jim Silliman and Oldham County Board of Education Michael Williams. Attorney Matt Hudson was present for the meeting and Administrative Assistant Christy Edgar was the Secretary for the meeting.

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Approval of Minutes

Motion was made by Commissioner Elder and seconded by Commissioner Jones to approve October 24, 2023, minutes as submitted with the following correction. Motion carried by unanimous voice vote.

Corrections:

Page 3: Third bullet point change achieve to achieved.

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Secretary Christy Edgar called and read Docket:

DOCKET PZ-23-024 – Application has been filed by Gant Jones for the approval of a Zoning Map Amendment, Master Plan and Master Plan Code on approximately five hundred acres to be known as Clore Station. The properties are located at 7001, 7140, 7204, 7202, 7206, 7180, 7315, 7319, & 7345 Highway 329 and 6530 Dovefield Drive, Crestwood. The current zoning districts are R-2 & R-2A Residential Districts, C-4 Highway Service District, and CO-1 Conservation Residential District and the proposed zoning is PND Planned Neighborhood Development District.

1. Introduction of the new information by staff and questions by the Commission:

Assistant Director Brian Fogle, presented the following:

- Summary of the application.
- Case History (see Exhibit A, Staff Report dated, November 28, 2023).
- Site history.
- Aerial Photos of the site.
- Photos of property.

Jim Silliman, Oldham County Engineer, presented the following:

- Because there is one acre of land disturbance will need to obtain permits from KY Division of Water (KYR10) and Oldham County Stormwater Quality Management and Erosion Control.
- All detention basins will be required to meet the current ordinance.
- Locations of basins and other features, whether it's pedestrian trails, road crossings, or culverts that might impact storm features or blue line streams would require US Army Corps of Engineer coordination and permitting.
- Agree with the traffic impact study that states all intersections will need further refinements as the development plans for each section are prepared for construction.
- The speed limits should be in five-mile-per-hour increments.

Michael Williams, Oldham County Board of Education, 6165 W. Hwy 146, Crestwood, was present and sworn in prior to presenting the school capacity form.

- The total residential units per year cannot exceed 125 units.

Director Urban explained, the TND Standards will substitute for the Oldham County Ordinance because it is much more detailed. Each phase of development must come before the Technical Review Committee.

Board Member Nasser asked, on the maps it shows that Old Hwy 329 has changed, since a road study has not been completed is this a potential change?

Mr. Silliman replied, that is correct.

Board Member Douglas asked, does the City of Crestwood have their own engineer?

Mr. Silliman replied, yes.

Board Member Douglas asked, will the county engineer and city engineer coordinate with each other?

Mr. Silliman replied, yes, we will coordinate during the project.

Board Member Fox asked, as each phase goes along will it come back to this board?

Assistant Director Fogle replied, no it does not. It will go to TRC.

Board Member Douglas asked, will the TRC look at changes to the master plan?

Assistant Director Fogle replied, major changes to the master plan will come back to this board. However, if there are minor changes then it will only go to TRC.

2. Presentation by the applicant or representative and others in support of the application:

Clay Barkley, Strobo, Barkley PLLC, 730 W. Main Street, Louisville, Kentucky was present and representing the applicant.

- This development will take 30 years to complete.
- Will have 115 acres of green space/open space.
- Will have a full-service hospital.
- This development will provide increased tax revenue and a wide variety of employment opportunities.
- Shuttle stops throughout the development will reduce the number of vehicles on the roadways.

Gant Jones, 2910 Darby Creek Drive, Crestwood, was present and sworn in prior to presenting.

- Four different parcels make up the 500 acres.
- The original farmhouse and the barn will be kept intact.
- This development will have its own architect to approve any plans before the building can start.
- It is planned to be a community with mixed use buildings, street fronted with buildings and not parking, and diverse housing types.
- Amenities within a five-minute walk.
- This development will use a planning tool called SmartCode.
- Will have 750,000 square feet of commercial and this does not include the healthcare district.
- Residential building types include single family/stand alone, single family attached, multifamily fourplex and six plex, condo units, apartments, and town houses.

Clint Kaho, President of Baptist Health LaGrange, 6609 Heritage Hills Dr., Crestwood, was present and sworn in prior to presenting,

- In order to accommodate the growth of the community the hospital needs to grow.
- The in-patient hospital components will relocate from LaGrange to Crestwood.

Motion was made by Board Member Douglas and seconded by Board Member Marsh to extend the applicants time another 10 minutes. Motion passed unanimously by voice vote.

John Talbott, Bardenwerper, Talbott & Roberts, PLLC, 1000 N. Hurstbourne Pkwy, Louisville, was present and representing the applicant.

- The health care district is on the northeast parcel of the Clore Farm.
- The health care development will have senior living, a hospital, mixed uses as in doctor offices, dentist offices and therapy offices.

- Community open spaces with walking trails are included.
- Each phase will be heard by the TRC and staff that can request improvements to the plan if necessary.
- A traffic study will be conducted with each phase of the development.
- Any major changes to the master plan will need to come in front of the Planning Commission.
- There will be a 100-foot buffer on the residential property lines and will not remove the trees in that area.
- The hospital frontage will face I-71 and is the furthest away from the residential properties.

Eric Senn, Land Design & Development, 503 Washburn Ave, Louisville, was present and sworn in prior to presenting.

- There will be three detention basins.

Mark Church, 602 Stockton Ct., Crestwood, was present and sworn in prior to presenting.

- Strongly believe that in the five years of planning this development, it has been well thought out.
- It is rare for a developer from this county that cares about the community as opposed to a national developer coming in to do a project this size.

John Oliva, 5301 Garden Drive, Crestwood, was present and sworn in prior to presenting.

- Like the fact that the developer is local and cares about the community.
- The plan looks to be beautiful.
- Great opportunity to grow Crestwood.

Chairman King called for a five-minute break.

Chairman King called board members back to order.

3. Questioning of the applicant or representative and others in support of the application by the Commission: None

4. Testimony and questions by those opposing the application:

Larry Mlinac, 7209 Spring Hill Trace, Crestwood, was present and sworn in prior to presenting.

- Concerned with the hotel's location that is proposed at the corner of old Hwy 329 and Hwy 329 bypass being close to residential homes.
- Concerned with the lights and noise pollution that the hotel will bring to the nearby residential neighborhood.
- Concerned with the increase in traffic from the hotel at Hwy 329 and Hwy 329 bypass.

- Would like to suggest that the developer move the hotel closer to the Wal-Mart on Hwy 329 bypass in the commercial district.

Barry Wilding, 4634 Echo Valley Drive, Crestwood, was present and sworn in prior to presenting.

- The infrastructure capacity of all over Oldham County is already an issue and this development hasn't even started to be built. Need to fix the capacity of this county first.
- Will bring more crime to the community without an increase of police.

Patty Wieseemann, 3903 N. Camden Lane, Crestwood, was present and sworn in prior to presenting.

- Apartments normally sell within 10 years after being built and then the buildings start to need repairs and new owners don't repair them.
- Traffic is already bad and needs to be fixed first.
- Does this county have the equipment to fight a six-story high structure fire?

Judy Crask, 7415 Hwy 329, Crestwood, was present and sworn in prior to presenting.

- Drivers already run off into my yard and with extra traffic it will only get worse.
- The flooding issue on the Brownsboro Alternate needs to be fixed.

Peter Hartman, 5311 Manor Ct., Crestwood, was present and sworn in prior to presenting.

- This board has not had time to read over all the documents that you have received this morning regarding the development.
- Who will be responsible for cleaning up the roads from the construction equipment entering and exiting the construction site?
- Did the traffic study include the traffic on Hwy 146?
- There was no mention of schools, our schools are already overcrowded, and this development will add to the already overcrowding issues.
- Do not want a six or seven-story hospital in our backyard.

5. Questioning of the applicant and those opposing the application by the Commission:

Board Member Douglas asked, did the planning firm give you any suggestions on doing things differently in this development than Norton Commons?

Mr. Jones replied, nothing that I can recall, however, we intend to not recreate Norton Commons.

Board Member Douglas asked, will the street parking in the mixed-used areas be wide enough to get fire trucks through for emergencies?

Mr. Jones replied, we have been in contact with Chief Eddie Turner during the preliminary planning about streets being wide enough and turns and nothing was

brought up. But this will be revisited during the TRC process to verify that these roads will work for the fire department equipment.

Board Member Douglas asked, will this development be using a curb and gutter or a box curb for storm water?

Mr. Jones replied, will be using the curb and gutter.

Board Member Douglas asked, have you received any additional information from MSD?

Jeremy Rogers, 608 South 3rd Street, Louisville, was present and sworn in prior to replying, currently working with MSD with preliminary capacity and will get more into details as the development phases progress.

Board Member Douglas asked, do you know anything about the capacity of the treatment facility?

Mr. Rogers replied, this is in an analysis phase.

Board Member Hampton asked what was the scope of the traffic study, and did it go outside of the parameters of the development?

Diane Zimmerman, 12803 High Meadows Pike, Prospect, was present and sworn in prior to replying, no, the study did not go outside of the parameters of this development. The study started at Judge Cardan Blvd, to I-71 ramps, Hwy 329 at the bypass, Madison and Dovefield Trace, Spring Hill Trace, Clore Lake and Clore Hill Road at Hwy 146.

Board Member Hampton asked, so was there a study for Crestwood or Hwy 146?

Mrs. Zimmerman replied, no.

Director Urban replied, there was a traffic planning study done on KY 22 from the county line to the 329 bypass which was completed last year. Also, KY Hwy 146 has been on the transportation cabinets long range plan from Crestwood to LaGrange.

Board Member Finney asked, what is the density of housing near Camden Manor?

Mr. Jones replied, the density for this area is 5.81 units per acre.

Board Member Finney asked, are these homes or condos?

Mr. Jones replied, these will be single-family homes, cottage type.

Board Member Douglas asked, how many beds are in the LaGrange hospital?

Mr. Kaho replied, it is licensed for 90 beds.

Board Member Douglas asked how many were licensed for Crestwood location?

Mr. Kaho replied, the 90 beds would move to the Crestwood Hospital.

Board Member Douglas asked, so this is not increasing the beds total?

Mr. Kaho replied, in order to increase the beds, we have to move the 90 licensed beds to Crestwood and then file for an increase.

Board Member Douglas asked, can you determine where the patients come from?

Mr. Kaho replied, our patients come from Oldham County, Henry, Trimble, Shelby, and some Jefferson County.

Board Member Douglas asked, did Baptist Health think it was feasible to move it about 8 miles South?

Mr. Kaho replied, yes.

Board Member Douglas asked, why wouldn't the traffic study include outside parameters if the hospital is pulling patients from Henry, Trimble and Carrollton?

Mrs. Zimmerman replied, I did include I-71.

Director Urban asked, will Baptist Hospital in LaGrange still be used?

Mr. Kaho replied, the intention is to use the LaGrange hospital as an outpatient facility.

Board Member Nasser asked, will each phase be discussed with the fire department?

Mr. Jones replied, yes, each phase will go back to the fire department to verify that everything works for their safety needs and emergency needs.

Board Member Nasser asked, will there be a builder's guild or an approved group of builders for the residential part of the development?

Mr. Jones replied, yes.

Board Member Finney asked, how many units is in the Crestwood Commons apartments?

Mr. Jones replied, 232 units.

Board Member Finney asked, is the only entrance and exit to the apartment complex through the medical plaza?

Mr. Jones replied, yes, they will use Judge Carden Blvd which is existing there today.

Board Member Fox asked, since this will be a 30-year build out will there be charging stations for the vehicles that are using street parking?

Mr. Jones replied, at this moment there are no plans, but it will be determined in the future as each phase comes along.

Board Member Ender asked, the Harrods Creek trail section does not have a phase, what is your strategy for this section? And as you work from one phase to another will the green space, civic areas, and public climbing areas be completed before moving to the next phase?

Mr. Jones replied, we have not determined that yet, however, I would like to get public access onto the property.

Board Member Marsh asked, why would the medical complex take 1-25 years to build out?

Mr. Jones replied, the road network will be built on day one along with the hospital. The other buildings will be built on an as needed basis.

Board Member Marsh asked, will one phase be completed before the next phase starts?

Mr. Jones replied, no.

Director Urban asked, so would these be considered sections because you could have multiple sections going on at the same time?

Mr. Jones replied, the west side of KY 329 is owned by Mr. Lee Clore and the other side is owned by Mrs. Carla Clore Jones and even though we are developing this together as a team they may approach and start their phases differently.

Board Member Marsh asked, I don't see parking at the boutique hotel near the jug handle. Is parking provided?

Mr. Jones replied, this is just a concept and location design but yes there will be.

Chairman King called for a lunch break at 12:05pm and for the board to return in one hour.

Chairman King called board members back to order at 1:05pm.

Board Member Elder left the meeting.

Board Member Davis asked, will the Jones Group be building on the lots, or will other builders be able to buy the lots and build?

Mr. Jones replied, we will build some homes but not all of them. The builder's guild will be responsible for building homes, and they will know the expectations of what to build and in addition there will be a town architect that will approve the drawings.

6. Rebuttal evidence and Cross Examination by the Applicant:

Attorney Talbott rebuttal statement.

- Some roads, outside this development, are already in the process of improvement.
- For each phase a traffic study will be done.
- If the applicant must bring sewers into this development, they are prepared to do so.
- Crime is everywhere.

Mr. Jones rebuttal statement.

- We understand the impact of the roads and we are having road studies done.

Attorney Barkley rebuttal statement.

- That is why this development is coming in eight phases and each phase will be reviewed.
- This developer is part of this community and cares for the community.

7. Rebuttal evidence and Cross Examination by the Opposition:

Beth Searcy, 5416 Meadow Stream, Crestwood, was present and sworn in prior to presenting.

- Wants to make sure that the nine binding elements that were agreed upon between Clore Station and Spring Hill Subdivision were on the record.

Patty Wiesemann rebuttal statement.

- Would like to know how many apartments will be built in this development?

Mr. Jones replied, do not have a set number of just apartments because there are condos being built as well.

8. Final statement of the Opposition:

Patty Wiesemann final statement.

- Need to think of the over all impact of the traffic.

9. Final statement of the Applicant:

Attorney Barkley's final statement.

- This development will be a game changer for Crestwood and Oldham County.
- Remember this development will be done in phases and it will take approximately 30 years.

Attorney Talbott's final statement.

- Section 236 of the county regulations was written for this development, and it does match this section.
- This development also advances the general health and welfare of the community.

END OF PUBLIC HEARING

Board Member Nasser asked, what constitutes as a major change?

Director Urban replied, In the PND standard are the definitions of Minor and Major amendments.

Director Urban read the definitions of the PND standards in section 236-070.

Board Member Finney asked, why is 125 units for school capacity allowed in this development which was not allowed in previous regulation capacity.

Director Urban replied, the terminology was changed from permits to units, so that way one single family is one unit and 16 units in an apartment building is 16 units. New regulations regarding school capacity were approved through the SRC, Planning Commission and legislative bodies.

Director Urban summarized the motion and read the binding elements.

On behalf of the Clore family, Mr. Ramsey agrees with the Binding Elements.

On behalf of the healthcare district, Attorney Talbott agrees with the Binding Elements.

On behalf of the Jones family, Mr. Jones agrees with the Binding Elements.

FINDINGS AND DECISIONS

Docket PZ-23-024

Zoning Map Amendment

Master Plan Maps & Master Plan Code

7001, 7140, 7180, 7202, 7204, 7206, 7315, 7319, 7345 Hwy 329

6530 Dovefield Drive, Crestwood

Motion was made by Commissioner Nasser and seconded by Commissioner Ender to recommend the approval for the Zoning Map Amendment, Master Plan Maps and Master Plan

Code at 7001, 7140, 7180, 7202, 7204, 7206, 7315, 7319, 7345 Hwy 329 and 6530 Dovefield Drive, Crestwood, also known as Clore Station to the City of Crestwood based on;

- the testimony and evidence from today and,
- it complies with the objectives of the Comprehensive Plan and the future land use plan for both mixed use and attached multifamily uses and,
- the combination of the land uses provides opportunities for residents to use various aspects of residential, civic uses, business uses and,
- gives options while taking into consideration that both the adjoining topography such as the interstates, existing neighborhoods that are already there, existing use of other businesses that are already there and,
- it complies with the goals CF1 and LU3 for economic development.

Included in this motion are the following Binding Elements.

Binding Elements:

1. As provided under the provisions of Zoning Ordinance Section 236-070 Amendments To An Approved Master Plan, there shall be no major amendments to the requested Zoning Map Amendment, Master Plan, & Master Plan Code as submitted & presented at the November 28, 2023, Oldham County Planning Commission public hearing without review and approval of the commission.
2. Left turn lanes at Highway 329 & Brownsboro Alternate/Apple Patch Court as directed by the Kentucky Transportation Cabinet during the Technical Review Committee review.
3. Improvements to Highway 146 & Clore Hill Road as directed by the Kentucky Transportation Cabinet during the Technical Review Committee review.
4. Traffic signals shall be installed at either Highway 329 & Baptist Blvd and/or Judge Carden Boulevard, Highway 329 Bypass & Dovefield Drive as directed by the Kentucky Transportation Cabinet during the Technical Review Committee review.
5. The maximum number of dwelling units per year is 125 at the time of Record Plat approval of each phase.
6. All submitted & presented Exhibits at the November 28, 2023, Planning Commission meeting are part of the approval and are enforceable in terms of setbacks, buffers, & building heights or other technical aspects.
7. A one hundred (100) foot building setback shall be maintained along the north & east property lines per Baptist Hospital PowerPoint Exhibit and as set forth in the Clore Station TND Standards.

The following (9) nine binding elements do not apply to the Northeast Parcel:

8. Once detailed construction and phasing plans are developed the developer would agree to in-person monthly updates with the Spring Hill HOA President.
9. As part of the construction drawings a detailed signage plan and construction path would be developed instructing proper construction traffic. This will be reviewed with the Spring Hill HOA President before construction begins and reviewed monthly during the monthly progress in-person meeting.
10. The storm retention in the valley between the fill site and the development on the hill that will connect to Meadow Bluff Drive will be constructed first. The developer will need

access to Meadow Bluff Drive for access and connection to utilities (water, power, low voltage, gas) and some initial offloading of equipment would need to take place off this road, but the main construction traffic whose path would be detailed on the construction plan would run from the fill site, across the valley and up to the development on the hill.

11. The developer will maintain a list of all subcontractors and vendors (concrete, stone suppliers etc.) they are using in the development. Damage to property in Spring Hill that is caused by one of these subcontractors or vendors will be paid for by such vendor. Spring Hill will notify the developer within thirty (30) days of any damage that occurs on someone's property due to these subcontractors or vendors.
12. The development on the hill that ties into Meadow Bluff Drive may or may not have some small commercial spaces. These commercial spaces, if built, will be limited to 2,000SF. The type of spaces that might work at this location are most likely small personal home offices or a coffee shop.
13. The existing tree line that currently buffers the Spring Hill Development from the new planned development will not be removed.
14. If blasting is required, the blasting contractor, developer, and the Spring Hill HOA will work together on a blasting plan to cover all areas that may be affected by blasting and put a plan in place before any blasting is done.
15. Access to the back of the property (fill area) will be principally from the road depicted on the Master Plan Map running along the property line with Spring Hill Trace lots.
16. Meadow Bluff Drive will be gated until the sale of homes begins and will only be used for utility construction or emergency vehicle access.

The vote was as follows:

YES: Commissioners Davis, Douglas, Ender, Finney, Fox, Hampton, Jones, Klingenfus, Marsh, Nasser, and Winters.

NO: None.

ABSTAIN: None

ABSENT: Commissioners Elder, Falvey, and Walzer.

Motion passed on a vote of 11-0.

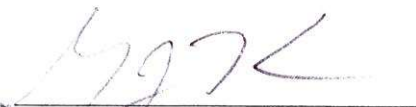
Other Business

None

There being no further business, the Planning Commission meeting adjourned at 2:00 pm.

The next regular meeting will be Tuesday, December 20, 2023, at 9:00 a.m. and will be held in the Oldham County Fiscal Court courtroom at 100 W Jefferson Street, La Grange, 40031.

Approved:


Greg King, Chairman

Respectfully Submitted:


Christy Edgar, Secretary

